

810-5-75-.14ER Involuntary Transfer by Operation of Law.

(1) When the interest of an owner in a motor vehicle or manufactured home passes to another, other than by voluntary transfer, the transferee shall mail or deliver to a designated agent the last certificate of title, if available, and proof of the transfer, and make application for certificate of title. The proof of transfer must identify the vehicle or manufactured home by vehicle identification number or manufactured home identification number, unless it is accompanied by the certificate of title, ~~and specify that the transferee is the owner of the vehicle or copy thereof.~~ In the event that the proof of transfer does not identify the vehicle or manufactured home by vehicle identification number or manufactured home identification number, and no title is available, a licensing official may utilize the department's title database to determine the identity of the vehicle or manufactured home. The licensing official must include a copy of the title record used to verify the identity of the vehicle or manufactured home with the title application documentation. Note: This requirement shall not apply when the interest of an owner is terminated and the vehicle or manufactured home is sold under a security agreement by a lienholder recorded on a certificate of title (see administrative rule 810-5-75-.17. Title Procedure – Repossessed Motor Vehicle).

(2) A person holding a certificate of title whose interest in the vehicle or manufactured home has been extinguished or transferred other than by voluntary transfer shall mail or deliver the certificate to the department upon request of the department or otherwise being notified that the certificate of title has been voided by the issuance of a subsequent certificate of title. The delivery of the certificate pursuant to the request of the department does not affect the rights of the person surrendering the certificate; and the action of the department in issuing a new certificate of title as provided herein is not conclusive upon the rights of an owner or lienholder named in the old certificate.

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Authority: **Sections 40-2A-7(a)(5), 32-8-3(b)(2), 32-8-46, and 32-20-32, Code of Alabama 1975**

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